

## **LECLAIRRYAN**

A Professional Limited Liability Company

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Attorneys for Plaintiff Coldwell Banker Real Estate, LLC

### **UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY**

COLDWELL BANKER REAL  
ESTATE, LLC,

Plaintiff,

v.

THE BELLMARC GROUP LLC; AC  
LAWRENCE REAL ESTATE LLC;  
BELLMARC BROKERAGE  
MIDTOWN, INC.; BELLMARC  
DOWNTOWN LLC.; BELLMARC  
EAST LLC; BELLMARC WEST  
LLC; BELLMARC SIMONE SONG  
INC.; BELLMARC  
GRAMERCY/CHELSEA INC.; NEIL  
BINDER, AN INDIVIDUAL; NICE  
IDEA LLC; AMD ALL  
ENTERPRISES, LLC,

Defendants.

Civil Action No. 14-cv-07926 MCA-  
MAH

### **CERTIFICATION OF NELSON BENNETT**

I, Nelson Bennett, of full age, certify as follows.

1. I make this certification from personal knowledge, and in support of the motion to quash the subpoena delivered to Coldwell Banker Real Estate, LLC

("Coldwell Banker"), seeking to have me appear to testify at trial in Newark, New Jersey.

2. I was formerly Senior Vice President of plaintiff Coldwell Banker. However, I left that position in 2016, and retired.

3. Since 2016, I have resided in Florida. I am not employed.

4. I do not transact business in person in New Jersey.

5. In August 2016 I was diagnosed with throat cancer. I have completed radiation therapy, and only recently have been able to speak without pain. I do not want to travel to New Jersey to testify.

I certify that the foregoing statements made by me are true, under penalty of perjury.

DATED: November 12, 2018

  
Nelson Bennett